

Motion moot as bankruptcy case has been dismissed.



SO ORDERED.

SIGNED this 22nd day of March, 2018.

A handwritten signature in black ink, appearing to read "H. Mott", is written over a horizontal line.

**H. CHRISTOPHER MOTT
UNITED STATES BANKRUPTCY JUDGE**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

In re:

EPTMS, INC.,

Debtor.

**Case No. 17-31729-hcm
Chapter 11**

**ORDER GRANTING MOTION OF BMO HARRIS BANK N.A. FOR RELIEF FROM
THE AUTOMATIC STAY OR, IN THE ALTERNATIVE,
FOR ADEQUATE PROTECTION**

Upon consideration of the Motion of BMO Harris Bank N.A. for Relief from the Automatic Stay or, in the Alternative, for Adequate Protection (the "Motion") [Doc. No. 95] filed by BMO Harris Bank N.A. (the "Bank"), this Court finds that it has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157, 1334; that this matter is a core proceeding pursuant to 28 U.S.C. § 157(b); this Court finds and determines that the Motion is to be granted for the following reasons: (i) the Bank has a valid, enforceable, and first priority security interest in the Collateral (as defined below); and (ii) the Debtor is no longer making post-petition payments to the Bank in connection with the Collateral. Accordingly, it is hereby ORDERED that:

1. The Motion is GRANTED as set forth herein.

2. The Bank has a valid, enforceable, and first priority security interest in the Collateral.

3. The automatic stay is hereby lifted as to the Bank's collateral:

Agreement	Year	Make	Model	Desc.	VIN
First	2016	Isuzu	N-Series	Truck	JALB4W170G7F00898
	2016	Morgan	16' Van Body	Trailer	MTX49900001
Second	2016	Isuzu	N-Series	Truck	JALB4W17G7F00894
	2016	Morgan	16' Van Body	Trailer	MTX49899001
Third	2016	Isuzu	N-Series	Truck	JALB4W174G7F00869
	2016	Morgan	16' Van Body	Trailer	MTX49893001
Fourth	2016	Isuzu	N-Series	Truck	JALB4W178G7F00891
	2016	Morgan	16' Van Body	Trailer	MTX16VB49895001
Fifth	2016	Isuzu	N-Series	Truck	JALB4W174G7F00886
	2016	Morgan	16' Van Body	Trailer	MTX49896001
Sixth	2016	Isuzu	N-Series	Truck	JALB4W178G7F00907
	2016	Morgan	16' Van Body	Trailer	MTX49901001

(the "Collateral").

4. The Bank may exercise all of its state law and contractual rights and remedies with regard to the Collateral, including, without limitation, obtaining possession of the Collateral, liquidating the Collateral, and applying the proceeds of the liquidation of the Collateral to the Bank's claim.

5. The Debtor shall cooperate with the Bank in allowing the Bank to take possession of the Collateral.

6. The Bank retains all of its rights to assert a deficiency claim against the Debtor.

7. The Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

8. This Order shall be enforceable immediately, notwithstanding the provisions of Rules 4001(a)(3) and 6004(h) of the Federal Rules of Bankruptcy Procedure.

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ORDER PREPARED AND SUBMITTED BY:

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COUNSEL FOR BMO HARRIS BANK N.A.

NOTICE

Notice Pg 4 of 4

United States Bankruptcy Court
Western District of TexasIn re:
EPTMS, INC.
DebtorCase No. 17-31729-hcm
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0542-3

User: cardenasr
Form ID: pdfintpPage 1 of 1
Total Noticed: 1

Date Rcvd: Mar 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Mar 24, 2018.

db +EPTMS, INC., 9813 Dyer, Suite 300, El Paso, TX 79924-4794

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 24, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on March 22, 2018 at the address(es) listed below:Alicia L. Gutierrez on behalf of Creditor On Sight Holding, LLC alicia@moseslaw.com,
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cmurray@diamondmccarthy.com, cburrow@diamondmccarthy.com

Corey W. Haugland on behalf of Creditor Rapid Capital Funding chaugland@jghpc.com

Donald P. Stecker on behalf of Creditor City Of El Paso don.stecker@lgbs.com

E. P. Bud Kirk on behalf of Debtor EPTMS, INC. budkirk@aol.com

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United States Trustee - EP12 USTPRegion07.SN.ECF@usdoj.gov

TOTAL: 14